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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,153	09/22/2003	Yehuda Forte	25708	8728
20529	7590	06/12/2006	EXAMINER	
NATH & ASSOCIATES 112 South West Street Alexandria, VA 22314			BUTLER, MICHAEL E	
			ART UNIT	PAPER NUMBER
			3653	

DATE MAILED: 06/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/667,153	<b>Applicant(s)</b> FORTE	
	<b>Examiner</b> Michael Butler	<b>Art Unit</b> 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☐ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) 1-34 are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Election/Restriction***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 2-10, along with generic claim 1, drawn to a vending machine with flexible belt conveyor located in cells, classified in class 221, subclass 84.
  - II. Claims 11-14, along with generic claim 1, drawn to a vending machine with supports for article dispensed, classified in class 221, subclass 194.
  - III. Claims 15-17 & 20, along with generic claim 1, drawn to a vending machine with a means for delivering an article to an outlet blocking device, classified in class 221, subclass 193.
  - IV. Claims 18 & 21-24, along with generic claim 1, drawn to a vending machine with a means for delivering an article to an elevator delivery device, classified in class 221 subclass 192.
  - V. Claims 25-30, along with generic claim 1, drawn to a vending machine with outlet operable only when movable conveyor belt is aligned with an outlet, classified in class 221 subclass 98.
  - VI. Claims 31-33, along with generic claim 1, drawn to a vending machine with inventory monitoring, classified in class 700 subclass 236.
  - VII. Claims 34 drawn to 11-14, along with generic claim 1, drawn to a wireless communications link to a remote control center, classified in class 455 subclass 3.01.

Art Unit: 3653

2. Inventions I, II, III, IV V, VI, and VII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as advancing goods to an assembly line feed. See MPEP § 806.05(d). In the instant case, invention II has separate utility such as preventing spillage of goods. See MPEP § 806.05(d). Invention III has separate utility such as delivering goods to a secured escrow. In the instant case, invention IV has separate utility such as moving items to a different height cell. See MPEP § 806.05(d). In the instant case, invention V has separate utility such as limiting access to a vending machine. See MPEP § 806.05(d). In the instant case, invention V has separate utility such as billing or writing to electronic purses. See MPEP § 806.05(d). In the instant case, invention VI has separate utility such as tracking inventory loss at a remote location. See MPEP § 806.05(d). In the instant case, invention VII has separate utility such as relaying information across bodies of water. See MPEP § 806.05(d).

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. Claim 1 lacks sufficient detail of the restricted inventions so as to constitute a generic claim and may be examined with any of groups I-VI.

5. No claims appear to be linking claims.

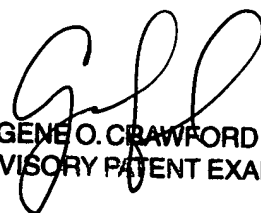
***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exmr. Michael E. Butler whose telephone number is (571) 272-6937.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene O. Crawford, can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MEB  
6/2/06

  
GENE O. CRAWFORD  
SUPERVISORY PATENT EXAMINER